

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**April 17, 2008**

**DIVISION ONE**

B205639      Christianson et al.                      (Not for Publication)  
                 v.  
                 Superior Court, Los Angeles County  
                 (Gibson, r.p.i.)

Therefore, let a peremptory writ issue, commanding respondent superior court to vacate its order of January 7, 2008, (1) granting a motion in limine prohibiting the parties from re-litigating the issue of whether there was probable cause to name plaintiff as a party in the underlying action and (2) dismissing Gibson from this case; and to issue a new and different order denying the motion and reinstating Gibson as a defendant, in Los Angeles Superior Court case No. NC037880, entitled Richard H. Gibson v. David P. Christianson et al. The parties shall bear their own costs.

Vogel (Miriam A.), Acting P.J.   Rothschild, J.   Jackson, J. (Assigned)

**DIVISION THREE**

B196270      Leventis, etc.                                      (Not for Publication)  
                 v.  
                 Lacaze, et al.

The judgment is affirmed. Each party to bear their own costs.

Aldrich, J.

We concur:   Klein, P.J.  
                     Croskey, J.

April 17, 2008 (Continued)

### DIVISION THREE (continued)

B196501 People (Not for Publication)  
v.  
Rayina S.

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.  
Kitching, J.

B201959 People (Not for Publication)  
v.  
Mauricio C.

The order continuing wardship is affirmed.

Aldrich, J.

We concur: Klein, P.J.  
Croskey, J.

[illegible]

The judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.  
Aldrich, J.

April 17, 2008 (Continued)

### DIVISION THREE (continued)

B199950 People (Not for Publication)

V.

Randy Aguila

The judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.

Aldrich, J.

B198785 Los Angeles County, D.C.S. (Not for Publication)

V.

Pauline B.

The court's disposition order concerning visitation is reversed and the matter is remanded to the juvenile court with directions to the juvenile court to (1) exercise its discretion to fashion a new visitation order guided by the principles set forth herein; and (2) direct the Department to comply with the notice provisions of the ICWA and, after proper notice under the ICWA, to determine whether Jeremy is an Indian child and the ICWA applies to these proceedings. In all other respects, the juvenile court's disposition order is affirmed.

Aldrich, J.

We concur: Klein, P.J.

Kitching, J.

## DIVISION FOUR

Court convened at 9:00 a.m.

Present: Epstein, P.J., Willhite, J., Manella, J., Suzukawa, J. and V. Guzman, Deputy Clerk.

DIVISION FOUR (continued)

Each of the following:

B200787 DCFS v. Angelica C.  
B195369 Palk v. Woodford and Moreno  
B205747 Cecilia C. v. SCLA (DCFS)  
B198803 People v. Carreno  
B199180 People v. Caballero  
B198789 DCFS v. Jonathan S.  
B198134 Mink et al. v. Shefi et al.

Argument waived, cause submitted.

B194821     People  
              v.  
              Keshishian

Merits:

Argued by David K. Demergian for appellant and by David F. Glassman, deputy attorney general for respondent. Cause submitted.

B202299     Los Angeles County, D.C.S.  
              v.  
              Olga G.

Merits:

Argued by Nancy O. Flores for appellant and by O. Raquel Ramirez, deputy county counsel for respondent. Cause submitted.

B198535     Welch  
              v.  
              The State Bar of California

Merits:

Argued by Vickie Welch in propria persona and by Danielle A. Lee for respondent. Cause submitted.

April 17, 2008 (Continued)

DIVISION FOUR (continued)

Court in recess.

Court reconvened at 1:30 p.m.

Present: Epstein, P.J., Willhite, J., Manella, J., Suzukawa, J. and V. Guzman, Deputy Clerk.

B197021     Lenett  
B199292     v.  
              World Savings Bank

Merits:

Argued by Everett L. Skillman for appellant and by Michelle A. Mierzwa for respondent. Cause submitted.

B195247     Infac Management Corp. et al.  
              v.  
              Infac India Group

Merits:

Argued by Adrian J. Sawyer for appellant and by Geoffrey Spellberg for respondents. Cause submitted.

B196852     Empire Film Productions, Inc.  
              v.  
              Arenas Entertainment et al.

Merits:

Argued by Anjani Mandavia for appellant NBC Universal, Inc., by Terry Anastassiou for appellant Arenas Entertainment and by Charles M. Coate for respondent. Cause submitted.

Court adjourned.

April 17, 2008 (Continued)

DIVISION FOUR (continued)

B195660      City of West Covina et al.  
                 v.  
                 Hassen Imports Partnership et al.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION FIVE

B202088      Michael Westfall                      (Not for Publication)  
                 v.  
                 Patrick Westfall

The orders are affirmed. Michael Westfall is to recover his costs on appeal from Patrick Westfall.

Turner, P.J.

I concur:      Armstrong, J.  
I concur:      Mosk, J. (opinion)

DIVISION SIX

B197668      People                                      (Not for Publication)  
                 v.  
                 Uriel T.

The judgment is affirmed.

Coffee, J.

We concur:      Gilbert, P.J.  
                 Yegan, J.

DIVISION SIX (continued)

B194376      Webb et al.,      (Not for Publication)

v.  
Erikson

The judgment and orders are affirmed. Costs on appeal are awarded to Karen Erikson.

Gilbert, P.J.

We concur:   Yegan, J.  
                     Perren, J.

B200634      Fields, et al.,      (Not for Publication)

v.  
Plambek, et al.,

The judgment is affirmed. Respondents shall recover their costs on appeal.

Yegan, J.

We concur:   Gilbert, P.J.  
                     Coffee, J.

B201692      Fiene (McKenzie),      (Not for Publication)

v.  
McKenzie

The order granting sole physical custody of A.M. to father is reversed. The matter is remanded to the trial court, which is directed to deny father's application for a change in physical custody. Mother shall recover her costs on appeal.

Yegan, J.

We concur:   Gilbert, P.J.  
                     Perren, J.

DIVISION SEVEN

B201271      People  
                 v.  
                 Asencio

Filed order vacating submission order of April 14, 2008. To permit the court to consider defendant's pending petition for writ of habeas corpus.

DIVISION EIGHT

B199892      Los Angeles County, D.C.S.                      (Not for Publication)  
                 v.  
                 Patrtick D.,  
                 In re Patrick D. et al., Person Coming Under the Juvenile Court Law.

The order is affirmed.

Egerton, J. (Assigned)

We concur:   Cooper, P.J.  
                 Rubin, J.

B191284      Susanna Asatryan                      (Not for Publication)  
                 v.  
                 Mark Saiki et al.,

The judgment is affirmed. The respondents are to recover their costs on appeal.

Egerton, J. (Assigned)

We concur:   Rubin, Acting P.J.  
                 Flier, J.



## DIVISION EIGHT (continued)

B189671      People                                  (Not for Publication)  
v.  
Jamal D. Williams

The judgment is affirmed.

Flier, J.

We concur: Cooper, P.J.  
Rubin, J.

B181404 People (Not for Publication)  
v.  
Lawrence Banner

The judgment is affirmed.

Cooper, P.J.

I concur: Flier, J.

B183237 People (Not for Publication)  
v.  
Marta Ramirez

The sentence is vacated and the case is remanded for resentencing. In all other respects, the judgment is affirmed.

Cooper, P.J.

I concur: Flier, J.